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TO: ADMINISTRATOR AND SENIOR EXECUTIVES

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ADMINISTRATOR:

McCarthy Says Glyphosate Report Not "Final". [KFEQ-AM](#) Kansas City, MO (6/24)
reports that McCarthy told lawmakers on a House
committee that a "recently published report on

glyphosate is no indication of what the EPA's final
decision will be." Although the report was labeled
"final" by the EPA's independent Cancer
Assessment Review Committee, McCarthy said it
was only a "step in the process."

Continuing Coverage: EPA Chief Testifies On Pebble Mine Case. [KDLG-AM](#) Dillingham, AK (6/24, Cochran) reports, in continuing coverage, on EPA Administrator Gina McCarthy's testimony before the House Committee on Science, Space and Technology on issues regarding the proposed Pebble mine.

AIR:

EPA To Rule On Ameren Missouri's Labadie Plant Emissions. The [Missourian](#) (6/25, Miller) reports that the EPA is scheduled to rule on sulfur dioxide emissions at the Ameren Missouri Labadie coal-fired power plant on July 2. If the agency rules that Ameren's emissions are too high, the plant will be forced to take action to lower the overall emissions. The Labadie Environmental Group has previously argued that the air-quality monitors used in the case "were not in place for the correct amount of time, nor were they put in the correct locations." Meanwhile, Ameren's senior director of environmental policy Steve Whitworth said Ameren's "monitoring data is the weight of the evidence" in the case.

Report Calls Air Pollution A Major Public Health Crisis Leading To Some 6.5 Million Deaths Annually. According to the [New York Times](#) (6/26, B5, Reed), a report to be released June 27 by the International Energy Agency in Paris, France suggests that "air pollution has become a major public health crisis leading to around 6.5 million deaths each year, with 'many of its root causes and cures' found in the energy industry."

[Bloomberg News](#) (6/26, Hirtenstein) reports the IEA "is calling for governments to adopt a strategy to cut pollutants by half, a plan that would add about 7 percent to the total energy investment needed through 2040," the study reveals. The strategy proposed by the IEA not only "pushes for cleaner fuels, energy efficiency, better cooking facilities and emissions controls," but "also calls for a collective long-term air quality goal, policies for implementation and regulations to monitor and enforce it."

[Reuters](#) (6/26, Chestney) quotes the IEA, which said, "Without changes to the way that the world produces and uses energy, the ruinous toll from air pollution on human life is set to rise."

EPA To Lift Noncompliance Ruling For Memphis-Area. The [AP](#) (6/25) reports that the EPA noncompliance designation will be lifted for the Memphis-area on July 25, "making it easier and cheaper for industrial developments to get air-pollution permits." According to Mark Herbison, senior vice president of economic development for the Greater Memphis Chamber, the decision puts the region "back on the radar screen for major industrial projects."

BROWNFIELDS/SUPERFUND/OTHER CLEANUPS:

Activists, Responsible Parties Blast Portland Harbor Cleanup Plan. The [AP](#) (6/26, Hansen) reports that the EPA's \$746 million-cleanup plan for Portland Harbor has been "blasted by environmentalists and community leaders, who say it'll take too long and won't be enough" to rehabilitate the site. EPA officials argue that their proposal is cheaper and less disruptive to the environment than other options. Seven companies that have agreed to take some of the responsibility for that pollution, including Chevron, filed a legal dispute with the EPA this week criticizing the plan as a "rushed decision."

CLIMATE CHANGE:

Appeals Court Delays Hearing Challenge On Carbon Rule. [The Hill](#) (6/24, Cama) reported a federal appeals court has delayed scheduling for a lawsuit brought against the EPA by states led by North Dakota and the Utility Air Regulatory Group to challenge new regulations on coal-and-natural gas fired power plants. The states asked the court for a delay, citing the EPA's denial of "set of petitions to reconsider the regulation," which they argue should afford them more "time to file lawsuits" and give the court time to "decide whether those lawsuits should be combined with the initial one." According to the Hill, the delay means the government's lawyers may not be able to submit completed briefs until President Obama's term in office is complete.

Court Delays Lawsuit On EPA New Coal Plant Requirements. The [Washington Examiner](#) (6/26, Lawler) reports, "The

D.C. Circuit Court of Appeals said Friday that it is delaying the court briefing on [the Environmental Protection Agency's New Source] the coal industry says effectively bans the construction of any new coal-fired power plants in the country." The rule requires companies planning to build new coal-fired power plants "to meet a technological standard for reducing emissions that critics argue is not cost effective, nor feasible, on a large scale." The delay means initial arguments in the case won't be completed until after President Obama has left office.

Obama: Playing Catch Up, Poor Countries' Fossil Fuel Use Threatens To Put Planet "Under Water."

The Washington Times (6/25, Richardson) reported that during an interview with Facebook founder Mark Zuckerberg at the Global Entrepreneurship Summit at Stanford University on Friday, President Obama "warned" that if rapidly developing countries seek to "duplicate the ways that we produce energy here, or have in the past, then the entire planet is under water."

ENERGY:

Op-Ed Urges Texas Railroad Commission To Support EPA's Regulations.

Writing in the San Antonio Express-News, (6/26, Fitzsimons) Hugh Fitzsimons, a founding board member of Texans for Responsible Energy Development, argues that the EPA's most recently issued regulations restricting methane emissions in the oil and gas industry "fit seamlessly into the values contained in the RRC's (Texas Railroad Commission) mission statement." Thus, he questions "why the Railroad Commission seems hellbent on standing in the way of policies that can create positive outcomes for Texas' communities and economy, and which, by its own mission statement, it ought to be supporting."

ENFORCEMENT:

Western Nebraska Fertilizer Plant To Pay \$100K In EPA Penalties. The AP (6/26) reports that Kugler's Culbertson Dealer Fertilizer and Retail Plant, a plant in southwestern Nebraska, agreed to pay \$101,808 in civil penalties as part of a settlement with the EPA

related to storage and use of anhydrous ammonia.

GRANTS:

Additional Reading.

- ***U.S. EPA To Help Six Communities Develop Sustainable Design Strategies.*** National Law Review. (6/26)

PESTICIDES:

Monsanto, Ag Startups Develop Genetic Pesticide Alternatives. The St. Louis Post-Dispatch (6/26, Barker) reports on the innovations of Monsanto and smaller agriculture startups in alternative pesticides. The companies are working to develop genetically-resistant crops using RNA solutions as alternatives to non-biodegradable pesticides.

RULES/REGULATIONS/POLICY

:

Texas Leads In State Litigation Against Obama Administration

Actions. In an analysis, the Wall Street Journal (6/24, Frosch, Gershman) reports on Supreme Court's deadlock last Thursday upholding a lower court's decision to block the Obama Administration's plan to give undocumented immigrants a reprieve from deportation. The news marks a victory for state attorneys from Texas which has sued the Obama Administration at least 44 times since it began, more than any other state. More than half the cases targeted the Environmental Protection Agency, including the one blocking implementation of the Clean Power Plan.

Senators Urge EPA To Push Ethanol Requirements Higher. The Hill (6/24, Henry) reported a bipartisan group of 39 Senators lead by Sens. Chuck Grassley and Amy Klobuchar issued a letter to EPA head Gina McCarthy urging her to get the ethanol mandate "back on track by setting blending targets where Congress intended" when regulators finalize 2017's standards this year." The EPA's Renewable Fuel Standard took effect set higher ethanol requirements than before but less than

what Congress intended for the standard. The EPA said this week “we think we are doing what we’re supposed to do, which is to look at the information, to talk to everybody to understand the industry as well as we can and do our very best to implement what we understand the intent of Congress to be.”

TOXICS/TSCA:

FDA Warns Yakima Valley Processor Of High Arsenic Levels In Juice. The [AP](#) (6/25) reports the FDA has sent a warning letter to Valley Processing in the Yakima Valley of Washington saying that the agency “found at nearly nine times the allowed limit” of arsenic in apple juice processed at its facilities. The article adds that Valley Processing President Mary Ann Bliesner “said they are guided by the FDA’s opinions, but their processing facility is fine.”

WATER:

Levels Of Lead In Children’s Blood Spiked After City Switched To Flint River In 2014, CDC Data Shows. The [Washington Post](#) (6/24, Dennis) reported the CDC released new data that showed that the levels of lead in children’s blood in Flint spiked after the city switched its drinking water source to the Flint River back in 2014. Researchers found that children in the city had a 50% higher chance of having high blood lead levels after the city switched its water source, and that after the city transitioned back to its previous water source, children’s blood lead levels returned to where they were before the switch.

The [AP](#) (6/24, Karoub) reported the CDC’s National Center for Environmental Health director Patrick Breyse said in a statement, “This crisis was entirely preventable, and a startling reminder of the critical need to eliminate all sources of lead from our children’s environment.” Virginia Tech Professor Marc Edwards, who helped bring the city’s water crisis to national attention, said the CDC data supports his research findings.

On its website, [NBC News](#) (6/24, Fox) reported HHS’ assistant secretary for preparedness and response Dr. Nicole Lurie said, “We have followed up directly with the families in Flint whose children showed elevated levels of lead in their blood in an effort to ensure they are

getting the additional assessments and case management services they need.”

Other sources that covered the story include: [Reuters](#) (6/24, Klayman), the [Detroit Free Press](#) (6/24, Spangler), [MLive \(MI\)](#) (6/24, Fonger), the [Wall Street Journal](#) (6/24, Maher), the [Los Angeles Times](#) (6/24, Daley), [STAT](#) (6/24, Robbins), and [TIME](#) (6/24, Worland).

Two Engineering Firms Targeted By State Lawsuit Fire Back Accusing State And City Officials Of Wrongdoing. The [Detroit News](#) (6/24, Oosting) reported Veolia North America and Lockwood, Andrews & Newman, the two defendant firms in a lawsuit filed by Michigan’s Attorney General last week, are pushing back against the state’s allegations that they are responsible for the Flint water crisis. The two firms “released a series of statements, timelines and documents highlighting the scope of their work in Flint” claiming that the crucial decision to not implement corrosion control were made by state and city officials. In turn, state officials then accused the two firms of trying to “spin” the lawsuit claiming that the firms could still be liable for professional negligence even if government officials told them there was no need for corrosion control chemicals.

[MLive \(MI\)](#) (6/24, Fonger) also covered the story.

Flint Lifts Week-Long Water Boil Advisory In Effect For Part Of City. The [Detroit News](#) (6/26, Dickson) reports Flint lifted an advisory to boil filtered water that was in effect for about a week in part of the city after water pressure dropped in that area.

Senate Version Of Water Resources Development Act Would Provide Aid To Improve Flint’s Water Infrastructure. [The Hill](#) (6/26, Zanona) reports the Senate version of the latest Water Resources Development Act, includes an amendment that would take funds from an Energy Department program to give \$220 million to help Flint improve its water infrastructure. The House version of the bill does not include such a measure, so advocates for federal aid for Flint are pushing for the Senate version of the bill.

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